

REMARKS

Formal Matters

Claims 8-25 are pending.

Claims 8-25 were examined and rejected. No claims were allowed.

Claims 8 and 21-23 are amended. Support for the amendment to claims 8 and 21-23 is found in Fig. 2.

Applicants respectfully request reconsideration of the application in view of the remarks made herein.

Interview Summary

The Applicants wish to express their gratitude to Examiner Brusca for the interview on June 6, 2005, with Applicants' representative James Keddie.

Exr. Brusca agreed that Fig. 2 supports recitation of a randomized amino acid sequence of up to 10 amino acids in length in the claims.

Rejection of claims under 35 U.S.C. § 103(a)

Claims 8-10, 12-19, 21 and 22 are rejected under 35 U.S.C. § 103(a) as unpatentable over Kauffman in view of Rayner and Gonda. The Office argues that Kauffman's screening methods, in combination with Rayner's retroviral vector and Gonda's N-terminal glycine, render the rejected claims obvious. The Applicants respectfully traverse this rejection.

Without any acquiescence to the correctness of this rejection and solely to expedite prosecution, the claims have been amended to recite test peptides that contain randomized amino acid sequence of up to 10 amino acids in length.

Kauffman describes a method in which stochastically generated (interpreted to mean random by the Examiner) polynucleotide sequences are tested in cells to identify phenotype-altering polypeptides.

However, in contrast to what is being claimed, Kauffman's methods involving producing polypeptides that are considerably longer than 10 amino acids. Support for this assertion is found in Kauffman's col. 5 lines 28-51 and col. 6 lines 51-64, where Kauffman describes methods for making stochastically generated polynucleotides.